

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Justin Andrew Elkert

Docket No. 4:21-CR-57-1FL

Petition for Action on Supervised Release

COMES NOW Kristyn Super, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Justin Andrew Elkert, who, upon an earlier plea of guilty to Distribution of a Quantity of a Mixture and Substance Containing Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on January 24, 2023, to the custody of the Bureau of Prisons for a term of 27 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Justin Andrew Elkert's projected release date from the Bureau of Prisons is October 6, 2023.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

In June 2023 the defendant submitted a release plan to the Southern District of West Virginia requesting to reside with his mother in Craigsville, West Virginia. On July 7, 2023, that release plan was denied, and he has since submitted a release plan as "homeless" to the Raleigh area. This officer spoke with the defendant by telephone on August 16, 2023, to discuss additional resources he may have available to him and the option of placement at the residential reentry center. The defendant agreed to temporary placement at the residential reentry center until a suitable release plan or transfer to the Southern District of West Virginia can be secured. It is recommended that the probation officer be allowed to authorize his release from the residential reentry center should he obtain an approved release plan or transfer to West Virginia prior to the expiration of the 180-day placement.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall undergo placement in a residential reentry center for a period of 180 days as arranged by the probation office and shall abide by the conditions of that program during said placement. The probation officer is authorized to approve Elkert's release from the residential reentry center prior to 180 days should the defendant secure a residence approved for release.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Kristyn Super
Kristyn Super
Senior U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5104
Executed On: August 16, 2023

ORDER OF THE COURT

Considered and ordered this 18th day of August, 2023, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge